

SENATE BILL 813

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By: **Senators Lenett and Madaleno**

Introduced and read first time: February 10, 2010

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Communities for a Lifetime Act**

3 FOR the purpose of establishing the Maryland Communities for a Lifetime Program
4 within the Department of Aging; defining a certain term; altering the
5 membership of the Interagency Committee on Aging Services; providing for the
6 term of a representative of a Community for a Lifetime on the Interagency
7 Committee; prohibiting the reappointment of a representative of a Community
8 for a Lifetime for more than a certain number of terms; requiring the
9 Interagency Committee to plan for assisting Communities for a Lifetime
10 annually; altering the composition of local interagency committees; requiring
11 the Secretary of Aging to determine the amount of a grant for a proposed or
12 existing senior activities center capital improvement after considering whether
13 a Community for a Lifetime is affected by the project; requiring the Senior
14 Citizen Activities Center Operating Fund to be used to benefit Communities for
15 a Lifetime in a certain manner; requiring the Secretary of Aging, with the
16 advice of the Innovations in Aging Services Advisory Council, to include
17 provisions for funding grants sought by Communities for a Lifetime within an
18 Innovations in Aging Services Program plan in a certain manner; altering the
19 membership of the Innovations in Aging Services Advisory Council; establishing
20 the purpose of this Act; requiring the Department of Aging, in consultation with
21 area agencies on aging and the Interagency Committee on Aging Services, to
22 oversee and coordinate the Maryland Communities for a Lifetime Program;
23 requiring the Department of Aging to certify a community as a Community for a
24 Lifetime under certain circumstances; requiring the Department of Aging to
25 support Communities for a Lifetime in a certain manner; requiring a
26 Community for a Lifetime to be considered a priority funding area; and
27 generally relating to establishing a Maryland Communities for a Lifetime
28 Program.

29 BY repealing and reenacting, with amendments,
30 Article – Human Services

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 10–101, 10–302, 10–306, 10–504, 10–514, 10–603, and 10–604
2 Annotated Code of Maryland
3 (2007 Volume and 2009 Supplement)

4 BY repealing and reenacting, without amendments,
5 Article – Human Services
6 Section 10–301, 10–501, 10–502, and 10–602
7 Annotated Code of Maryland
8 (2007 Volume and 2009 Supplement)

9 BY adding to
10 Article – Human Services
11 Section 10–901 through 10–905 to be under the new subtitle “Subtitle 9.
12 Maryland Communities for a Lifetime Program”
13 Annotated Code of Maryland
14 (2007 Volume and 2009 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – State Finance and Procurement
17 Section 5–7B–02
18 Annotated Code of Maryland
19 (2009 Replacement Volume)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article – Human Services**

23 10–101.

24 (a) In this title the following words have the meanings indicated.

25 (b) “Area agency” means the local agency that the Department designates in
26 accordance with the Older Americans Act of 1965 to administer the delivery of a
27 comprehensive and coordinated plan of social and other services and activities for
28 seniors in a planning and service area.

29 (c) **“COMMUNITY FOR A LIFETIME” MEANS A COMMUNITY CERTIFIED**
30 **UNDER § 10–904 OF THIS TITLE.**

31 [(c)] (D) “Congregate housing services” means services provided in an
32 apartment building that promote independent living for an eligible individual.

33 [(d)] (E) “Department” means the Department of Aging.

1 **[(e)] (F)** “Interagency Committee” means the unit established in § 10–301 of
2 this title to oversee the coordination and consolidation of services for seniors in the
3 State.

4 **[(f)] (G)** “Planning and service area” means an area of the State that the
5 Department designates in accordance with the Older Americans Act of 1965 for the
6 planning and administration of social, health, and other services for seniors.

7 **[(g)] (H)** “Secretary” means the Secretary of Aging.

8 10–301.

9 There is an Interagency Committee on Aging Services in the Executive
10 Department.

11 10–302.

12 (a) The Interagency Committee consists of the following members:

13 (1) the Secretary of Aging;

14 (2) the Secretary of Disabilities;

15 (3) the Secretary of Health and Mental Hygiene;

16 (4) the Secretary of Housing and Community Development;

17 (5) the Secretary of Human Resources;

18 (6) the Secretary of Labor, Licensing, and Regulation;

19 (7) the Secretary of Transportation;

20 (8) the Secretary of Veterans Affairs;

21 (9) the Director of the Governor’s Office of the Deaf and Hard of
22 Hearing;

23 (10) the Chair of the Commission on Aging;

24 (11) a representative from an area agency appointed by the Governor
25 from a list submitted by the Maryland Association of Area Agencies on Aging; **[and]**

26 **(12) A REPRESENTATIVE OF A COMMUNITY FOR A LIFETIME**
27 **APPOINTED BY THE GOVERNOR; AND**

28 **[(12)] (13)** a member of the public appointed by the Governor.

1 (b) (1) The term of a member appointed by the Governor under subsection
2 (a)(11) [or], (12) **OR (13)** of this section is 2 years.

3 (2) A member appointed by the Governor under subsection (a)(11) [or],
4 (12) **OR (13)** of this section may not be reappointed for more than 2 additional terms.

5 10–306.

6 (a) (1) The Interagency Committee shall develop and update annually a
7 plan for **ASSISTING COMMUNITIES FOR A LIFETIME AND FOR** providing
8 coordinated health services, social services, transportation, housing, and employment
9 services to seniors in the State consistent with the priorities that the Department
10 establishes.

11 (2) If the members of the Interagency Committee cannot agree on a
12 plan, the chair shall refer the matter to the Governor for resolution.

13 (b) Annually on or before a date that the Governor sets, the Interagency
14 Committee shall develop and present to the Governor and the General Assembly a
15 consolidated operating budget for services to seniors that:

16 (1) sets forth the relevant portions of the operating budget of any unit
17 responsible for services to seniors; and

18 (2) is consistent with the plan developed under subsection (a) of this
19 section.

20 (c) The Interagency Committee shall establish interagency agreements and
21 adopt regulations to:

22 (1) implement and coordinate services to seniors consistent with the
23 plan developed under subsection (a) of this section;

24 (2) maximize the sharing of resources among units of State
25 government for services to seniors;

26 (3) consolidate planning and evaluation efforts at the State and local
27 levels; and

28 (4) coordinate and expedite the delivery of services to seniors by
29 providing technical assistance to local agencies.

30 (d) (1) The Interagency Committee shall assist county agencies to
31 establish local interagency committees composed of:

1 (i) the directors of the local health department, local
2 department of social services, and area agency; [and]

3 (II) REPRESENTATIVES OF COMMUNITIES FOR A LIFETIME;
4 AND

5 [(ii)] (III) officials from housing, transportation, mental health,
6 employment, and economic development agencies.

7 (2) Local interagency committees shall coordinate and expedite the
8 delivery of services to seniors at the local level.

9 10–501.

10 (a) In this part the following words have the meanings indicated.

11 (b) “Capital equipment” means essential fixed equipment and furnishings
12 with an expected useful life of at least 15 years.

13 (c) (1) “Cost” means all expenses incident to the construction, acquisition,
14 conversion, renovation, or improvement of a project.

15 (2) “Cost” includes:

16 (i) the cost to acquire any interest in real or personal property
17 in connection with a project;

18 (ii) the cost of financial, technical, professional, engineering,
19 and legal services in connection with a project whether the expenses are incurred
20 before or after any bond, note, or other evidence of indebtedness or obligation is issued
21 by the State to finance the project;

22 (iii) the cost of development of a senior citizen activities center
23 master plan; and

24 (iv) the cost of plans, specifications, surveys, estimates of costs
25 and revenues, feasibility or practicability reports, machinery, equipment, and
26 administrative expenses, and other expenses that are necessary and incident to the
27 financing authorized for the project.

28 (d) “Grant” means a grant from the State under the Program.

29 (e) “Improvement” means construction, replacement, extension, or
30 betterment of a project or real property.

31 (f) “Master plan” means a comprehensive plan for a local government’s
32 projected need for funds for senior citizen activities centers over 15 years.

1 (g) "Program" means the Senior Citizen Activities Centers Capital
2 Improvement Grants Program.

3 (h) "Project" means a proposed or existing senior citizen activities center
4 that:

5 (1) receives or has received a grant for work that is eligible under this
6 part;

7 (2) is operated under the authority of a unit of local government; and

8 (3) is:

9 (i) wholly owned by the unit of local government; or

10 (ii) leased by a unit of local government if:

11 1. the lease is for a minimum term of 15 years after
12 completion of the project or gives the lessee the right of purchase; and

13 2. the lessor consents to the recording of a notice of the
14 right of recovery under § 10-506 of this subtitle in the land records of the county in
15 which the facility is located.

16 (i) "Senior citizen activities center" means a community or neighborhood
17 facility in which a broad spectrum of services are organized and provided to
18 individuals at least 60 years old or their spouses, including health, social, nutritional,
19 educational, and recreational services.

20 10-502.

21 (a) A unit of local government may apply to the Secretary for a grant for the
22 cost of:

23 (1) planning, design, construction, acquisition, conversion, renovation,
24 or improvement of a project;

25 (2) developing a master plan;

26 (3) purchasing capital equipment for a project;

27 (4) leasing a project as a lessee or lessor; or

28 (5) making a subgrant to a nonprofit organization for a purpose
29 described in item (1), (2), (3), or (4) of this subsection.

1 (b) If the Secretary approves an application for a grant, the Secretary shall
2 file with the Board of Public Works a report describing the scope of the project and a
3 recommendation that the Board make the requested funds available.

4 10-504.

5 (a) (1) Any federal grant that is received for a project shall be applied first
6 to the cost of the project.

7 (2) Except as provided in subsection (b) of this section, a State grant
8 for a project may not exceed the lesser of \$800,000 or 50% of the cost of eligible work
9 remaining unpaid after any federal grant is applied.

10 (3) A State grant to develop a master plan may not exceed the lesser of
11 \$15,000 or 50% of the cost of development of the plan.

12 (b) The Board of Public Works may authorize a grant for a project that
13 exceeds 50% of the cost of eligible work remaining unpaid after any federal grant is
14 applied, if:

15 (1) the project involves the conversion, acquisition, renovation,
16 construction, or improvement of a building for use as a senior citizen activities center;

17 (2) the value of real property and existing improvements made
18 available by the local government equals or exceeds the amount of the State grant;
19 and

20 (3) the residual value of the real property and existing improvements
21 made available by the local government exceeds the sum of:

22 (i) any prior amounts used for matching funds under this
23 Program;

24 (ii) any outstanding State debt relating to the property from
25 another program;

26 (iii) any prior grant under this Program; and

27 (iv) any other tangible State investment in the property.

28 (c) The amount of a State grant for a project shall be determined after
29 consideration of:

30 (1) the density of the senior population in the area affected by the
31 project;

1 (2) the proximity of the proposed center to an existing senior citizen
2 activities center; [and]

3 **(3) WHETHER A COMMUNITY FOR A LIFETIME IS AFFECTED BY**
4 **THE PROJECT; AND**

5 **[(3)] (4)** other localities eligible for State funding that have not
6 received previous funding under the Program or similar programs.

7 (d) A grantee who received funds for a project under this subtitle or a prior
8 act authorizing grants for senior citizen activities centers may receive additional
9 grants for the project, but only in an amount that does not exceed the difference
10 between the sum of any prior grants and the maximum funding allowable.

11 10-514.

12 (a) There is a Senior Citizen Activities Center Operating Fund.

13 (b) The Fund shall be used to supplement, but may not be used to supplant,
14 any existing funding for senior citizen activities centers in the State budget.

15 **(C) TO THE EXTENT PRACTICABLE, THE FUND SHALL BE USED TO**
16 **INCREASE THE ABILITY OF SENIORS LIVING IN COMMUNITIES FOR A LIFETIME**
17 **TO AGE IN PLACE.**

18 10-602.

19 (a) There is an Innovations in Aging Services Program in the Department.

20 (b) The purposes of the Program are to:

21 (1) provide competitive funding grants to design and test innovative
22 ideas in programs and services for seniors;

23 (2) publicly disseminate the results of the tests; and

24 (3) help meet the need for personnel trained to provide services to
25 seniors in the State.

26 10-603.

27 (a) (1) With the advice of the Council, the Secretary shall:

28 (i) develop annually a Program plan; and

29 (ii) submit the plan to the Governor and General Assembly for
30 approval as part of the annual State budget.

- 1 (2) The plan shall set forth priorities for:
- 2 (i) funding grants for innovative services to seniors; and
- 3 (ii) training personnel who provide services to seniors in the
- 4 State.

- 5 (3) The plan shall include provisions for:

6 **(I) FUNDING GRANTS THAT ARE SOUGHT BY COMMUNITIES**

7 **FOR A LIFETIME TO THE EXTENT PRACTICABLE; AND**

8 **(II) evaluating any program funded under the plan.**

9 (b) The Secretary may accept money from any public or private source to

10 fund grants awarded under this subtitle.

11 10-604.

12 (a) There is an Innovations in Aging Services Advisory Council in the

13 Department.

14 (b) The Council consists of the following [14] **15** members:

- 15 (1) the Secretary of Aging;
- 16 (2) the chair of the Maryland Commission on Aging or the chair's
- 17 designee;
- 18 (3) the Secretary of Health and Mental Hygiene or the Secretary's
- 19 designee;
- 20 (4) one member of the Senate of Maryland, appointed by the President
- 21 of the Senate;
- 22 (5) one member of the Maryland House of Delegates, appointed by the
- 23 Speaker; and
- 24 (6) the following [nine] **10** members appointed by the Secretary of
- 25 Aging:
- 26 (i) five representatives of organizations providing services to
- 27 seniors;
- 28 (ii) two representatives of senior consumers of services to
- 29 seniors;

1 (iii) a director of an area agency; [and]

2 (IV) A REPRESENTATIVE OF A COMMUNITY FOR A LIFETIME;
3 AND

4 [(iv)] (V) a representative of the University of Maryland.

5 (c) The Secretary is the chair of the Council.

6 (d) (1) The term of a member of the Council is 4 years.

7 (2) The terms of the members appointed by the Secretary are
8 staggered as required by the terms provided for members of the Council on October 1,
9 2007.

10 (3) At the end of a term, a member continues to serve until a successor
11 is appointed and qualifies.

12 (4) A member who is appointed after a term has begun serves only for
13 the rest of the term and until a successor is appointed and qualifies.

14 **SUBTITLE 9. MARYLAND COMMUNITIES FOR A LIFETIME PROGRAM.**

15 **10-901.**

16 **THE PURPOSE OF THIS ACT IS TO:**

17 (1) ESTABLISH A COMPREHENSIVE, STRATEGIC STATE PLAN TO
18 ADDRESS THE AGING-IN-PLACE PREFERENCE OF CURRENT SENIORS AND THE
19 SOON-TO-RETIRE BABY BOOMER GENERATION;

20 (2) DIRECT FINANCIAL AND REGULATORY INCENTIVES TO LOCAL
21 COMMUNITIES TO ENHANCE AGING-IN-PLACE SERVICES AND FACILITATE THE
22 INDEPENDENCE OF OLDER ADULTS; AND

23 (3) PROMOTE A STATE AGING-IN-PLACE PROGRAM THAT
24 OVERCOMES BARRIERS IN HOUSING, TRANSPORTATION, HEALTH CARE,
25 EMPLOYMENT, AND SOCIAL AND CIVIC ENGAGEMENT.

26 **10-902.**

27 **THERE IS A MARYLAND COMMUNITIES FOR A LIFETIME PROGRAM IN THE**
28 **DEPARTMENT.**

1 **10-903.**

2 **THE DEPARTMENT SHALL, IN CONSULTATION WITH AREA AGENCIES AND**
3 **THE INTERAGENCY COMMITTEE, OVERSEE AND COORDINATE THE MARYLAND**
4 **COMMUNITIES FOR A LIFETIME PROGRAM.**

5 **10-904.**

6 **THE DEPARTMENT SHALL CERTIFY AS A COMMUNITY FOR A LIFETIME A**
7 **COMMUNITY THAT:**

8 **(1) IS A GEOGRAPHIC AREA WITHIN ONE OR MORE POLITICAL**
9 **SUBDIVISIONS WITHIN THE STATE DESCRIBED BY A CLOSED PERIMETER**
10 **BOUNDARY;**

11 **(2) HAS EXISTED AS A DEFINED GEOGRAPHIC AREA OR**
12 **IDENTIFIABLE RESIDENTIAL COMMUNITY FOR AT LEAST 20 YEARS AND, AS A**
13 **RESULT OF NATURALLY OCCURRING DEMOGRAPHIC CHANGES, HAS COME TO BE**
14 **CHARACTERIZED BY CONCENTRATED CLUSTERS OF RESIDENTS OVER THE AGE**
15 **OF 60 YEARS;**

16 **(3) HAS HAD, ON ITS BEHALF, A NEEDS ASSESSMENT AND ASSET**
17 **MAPPING OF THE COMMUNITY TO IDENTIFY OBSTACLES TO AGING IN PLACE,**
18 **CONDUCTED IN COORDINATION WITH THE DEPARTMENT OF AGING AND BY A**
19 **BROAD COALITION OF STAKEHOLDERS, INCLUDING:**

20 **(I) INDIVIDUAL OLDER ADULT COMMUNITY RESIDENTS;**

21 **(II) A HEALTH CARE PROVIDER ACTIVE WITHIN THE**
22 **COMMUNITY;**

23 **(III) A NONPROFIT ELDERLY SERVICES PROVIDER ACTIVE**
24 **WITHIN THE COMMUNITY;**

25 **(IV) A COMMUNITY BUSINESS;**

26 **(V) A PROVIDER OF HOUSING TO SENIORS IN THE**
27 **COMMUNITY; AND**

28 **(VI) BOTH LOCAL GOVERNMENT AND PRIVATE-SECTOR**
29 **STAKEHOLDERS; AND**

30 **(4) HAS DEVELOPED A PLAN TO ENHANCE THE ABILITY OF**
31 **COMMUNITY RESIDENTS TO AGE IN PLACE AND FACILITATE THE**

1 INDEPENDENCE OF OLDER ADULT RESIDENTS IN THE COMMUNITY, WITH
2 COMPONENTS THAT INCLUDE:

3 (I) INITIATIVES TO ENCOURAGE AND INCREASE THE
4 AVAILABILITY OF AFFORDABLE AND ACCESSIBLE HOUSING, INCLUDING:

5 1. AN INITIATIVE TO REQUIRE NEW DEVELOPMENT
6 TO INCLUDE A CERTAIN PERCENTAGE OF NEW HOMES WITH BASIC
7 ACCESSIBILITY FEATURES; AND

8 2. AN INITIATIVE TO PROMOTE UNIVERSAL HOME
9 DESIGN;

10 (II) INITIATIVES TO PROMOTE ADEQUATE MOBILITY
11 OPTIONS, INCLUDING:

12 1. TRANSIT SERVICES;

13 2. TRANSPORT TO SHOPPING, HEALTH SERVICES,
14 AND CIVIC AND SOCIAL OPPORTUNITIES; AND

15 3. MOBILITY WITHIN THE COMMUNITY;

16 (III) INITIATIVES TO PROMOTE PREVENTION AND WELLNESS
17 SERVICES, INCLUDING MOBILE HEALTH CARE SERVICES SIMILAR TO THOSE
18 PROVIDED BY MOBILE MEDICAL CARE, INC., IN MONTGOMERY COUNTY, AND
19 BY SIMILAR PROGRAMS IN FLORIDA AND NEW YORK;

20 (IV) STRATEGIES TO ADDRESS DISEASE REDUCTION,
21 FUNCTIONAL DISABILITIES, AND CHRONIC ILLNESSES;

22 (V) SUPPORTIVE COMMUNITY FEATURES AND SERVICES;

23 (VI) INITIATIVES TO ENABLE PERSONAL INDEPENDENCE
24 AND EMPLOYMENT FOR OLDER ADULTS;

25 (VII) INITIATIVES TO PROMOTE ENGAGEMENT FOR OLDER
26 ADULTS IN CIVIC AND SOCIAL AFFAIRS;

27 (VIII) A DEMONSTRATED RECOGNITION AND
28 ACCOMMODATION OF THE COMMUNITY'S ETHNIC, CULTURAL, AND LINGUISTIC
29 DIVERSITY; AND

1 **(IX) INITIATIVES TO PROTECT SENIORS FROM FINANCIAL**
2 **EXPLOITATION AND PHYSICAL HARM.**

3 **10-905.**

4 **(A) THE DEPARTMENT SHALL ASSIST A COMMUNITY FOR A LIFETIME**
5 **WITH CONTINUED NEEDS ASSESSMENT AND ASSET MAPPING OF THE CERTIFIED**
6 **COMMUNITY TO IDENTIFY OBSTACLES TO AGING IN PLACE.**

7 **(B) THE DEPARTMENT SHALL ORGANIZE AND SUPPORT THE NETWORK**
8 **OF COMMUNITIES FOR A LIFETIME THROUGHOUT THE STATE TO MAXIMIZE THE**
9 **RESOURCES, EXPERIENCES, AND KNOWLEDGE OF EACH COMMUNITY.**

10 **(C) THE DEPARTMENT AND A COMMUNITY FOR A LIFETIME'S AREA**
11 **AGENCY SHALL HELP THE COMMUNITY FOR A LIFETIME IMPLEMENT A PLAN**
12 **DEVELOPED UNDER § 10-904(4) OF THIS SUBTITLE.**

13 **(D) THE DEPARTMENT SHALL ASSIST A COMMUNITY FOR A LIFETIME**
14 **IN OBTAINING FEDERAL, STATE, AND LOCAL FUNDING FOR PROJECTS THAT**
15 **IMPROVE THE ABILITY OF SENIORS TO AGE IN PLACE.**

16 **(E) THE DEPARTMENT SHALL INVESTIGATE WAYS TO ENHANCE**
17 **SERVICES THAT HELP SENIORS WHO LIVE IN A COMMUNITY FOR A LIFETIME**
18 **AGE IN PLACE, INCLUDING THE FEASIBILITY OF CREATING PROGRAMS TO**
19 **INCREASE THE AVAILABILITY TO THE COMMUNITIES OF:**

20 **(1) MOBILE MEDICAL SERVICES;**

21 **(2) MEDICAL TESTING SERVICES;**

22 **(3) VACCINES; AND**

23 **(4) DISEASE PREVENTION SERVICES.**

24 **Article – State Finance and Procurement**

25 **5-7B-02.**

26 The following areas shall be considered priority funding areas under this
27 subtitle:

28 (1) a municipal corporation, including Baltimore City, except that:

1 (i) those areas annexed by a municipal corporation after
2 January 1, 1997 but before October 1, 2006 shall satisfy requirements relating to
3 density and service by water and sewer set forth in § 5-7B-03 of this subtitle; and

4 (ii) those areas annexed by a municipal corporation after
5 September 30, 2006, shall satisfy all of the requirements set forth in § 5-7B-03 of this
6 subtitle;

7 (2) a designated neighborhood, as defined in § 6-301 of the Housing
8 and Community Development Article;

9 (3) an enterprise zone as designated under Title 5, Subtitle 7 of the
10 Economic Development Article, or by the United States government;

11 (4) a certified heritage area as defined in §§ 13-1101 and 13-1111 of
12 the Financial Institutions Article that is located within a locally designated growth
13 area;

14 (5) those areas of the State located between Interstate Highway 495
15 and the District of Columbia;

16 (6) those areas of the State located between Interstate Highway 695
17 and Baltimore City; [and]

18 (7) an area designated by the governing body of a county or municipal
19 corporation under § 5-7B-03 of this subtitle; **AND**

20 **(8) A COMMUNITY FOR A LIFETIME UNDER TITLE 10, SUBTITLE 9**
21 **OF THE HUMAN SERVICES ARTICLE.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2010.